

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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EU YAN SANG, INTERNATIONAL LTD.,

Plaintiff,

- against -

ORDER

09-CV-4235 (RRM) (RER)

S&M ENTERPRISES (U.S.A.)  
ENTERPRISE CORP., and SHENG LIN  
a/k/a SHENG XIAO LIN a/k/a LIN SHENG, and  
WENDY LI,

Defendants.

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MAUSKOPF, United States District Judge.

By Order entered March 5, 2010, this Court referred this matter to Magistrate Judge Ramon E. Reyes, Jr. for a Report and Recommendation on Plaintiff's Motions for Default Judgment [Doc. Nos. 16, 25], to include a determination as to the amount of damages, the scope of any injunctive relief, and the personal liability of Defendants Lin and Li. On September 8, 2010, the Magistrate Judge issued a Report and Recommendation (the "R&R") [Doc. No. 27] recommending that Plaintiff's motion be granted in part and denied in part. The Magistrate Judge Ordered that, pursuant to Rule 72(b), any objection to the R&R was due within fourteen (14) days of receipt of the R&R. Plaintiff has filed proof of service indicating that the R&R was sent to Defendants by overnight delivery on September 9, 2010. To date, no party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED as follows:

1. Plaintiff's motions for default judgment as to Defendant S&M (U.S.A.) ENTERPRISE CORP [Doc. No. 16] and Defendants WENDY LI and SHENG LIN, a/k/a SHENG XIAO LIN, a/k/a LIN SHENG [Doc. No. 25] are GRANTED;

2. Plaintiff's motion seeking to hold Defendants WENDY LI and SHENG LIN, a/k/a SHEG XIAO LIN, a/k/a LIN SHENG personally liable is DENIED, and Plaintiff shall take nothing from these Defendants;
3. Plaintiff's motion to recover costs of corrective advertising is DENIED;
4. A money judgment shall be GRANTED in favor of Plaintiff EU YAN SANG, INTERNATIONAL LTD. as against S&M ENTERPRISES (U.S.A.) ENTERPRISE CORP. as follows:
  - a. Attorney's fees in the amount of \$41,983.00;
  - b. Private investigator fees in the amount of \$3266.25; and
  - c. Costs of \$593.80; and
5. Injunctive relief in the form of a permanent injunction is hereby GRANTED in favor of Plaintiff EU YAN SANG, INTERNATIONAL LTD. as against Defendant S&M ENTERPRISES (U.S.A.) ENTERPRISE CORP., in the form annexed, PERMANENTLY ENJOINING Defendant, and all those who are in active concert or participation with it, including its officers, directors, principals, agents, servants, affiliates, employees, attorneys, representatives, successors and assigns.

The Clerk of Court is directed to enter Judgment accordingly, and to close the case.

SO ORDERED.

Dated: Brooklyn, New York  
September 23, 2010

s/RRM

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ROSLYN R. MAUSKOPF  
United States District Judge